



DKT. 30435.53USD3/SBA/SH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Charles L. Sawyers et al.
Serial No : 10/062,684 **Examiner:** Thaian N. Ton
Filed : January 30, 2002 **Group Art Unit:** 1632
For : METHODS OF SIMULATING HUMAN PROSTATE CANCER PROGRESSION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

**TERMINAL DISCLAIMER TO OBVIATE
DOUBLE PATENTING REJECTIONS**

Petitioner, The Regents of the University of California, a corporation organized and existing under the laws of the State of California and having its primary place of business at 1111 Franklin Street, 12th Floor, Oakland, California 94607-5200, in the county of Alameda represents that it is the owner of the entire right, title and interest in the following U.S. Patents:

- U.S. Patent No. 6,365,797, issued April 2, 2002 (U.S. Serial No. 09/567,202) and entitled Mice Models of Human Prostate Cancer Progression, by virtue of our assignment recorded at Reel 010704, Frame 0291; and
- U.S. Patent No. 6,107,540, issued August 22, 2000 (U.S. Serial No. 08/951,143) and entitled Mice Models of Human Prostate Cancer Progression, by virtue of our assignment recorded at Reel 010704, Frame 0291.

Attached herewith is a Certificate under 37 C.F.R. § 3.73(b) establishing The Regents of the University of California's right as assignee to take action .

Petitioner, The Regents of the University of California, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent Nos. 6,365,797, issued April 2, 2002, or 6,107,540, issued August 22, 2000 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Nos. 6,365,797 and 6,107,540, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent Nos. 6,365,797 or 6,107,540, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

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In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent Nos. 6,365,797 or 6,107,540: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: September 24, 2003

L N de Larena

Lorelei de Larena, Esq.
Intellectual Property Manager
Office of Intellectual Property
Administration
University of California Los Angeles
10920 Wilshire Boulevard, Suite 1200
Los Angeles, California 90024-1406



PTO/SB/96 (08-03)

Attorney Docket No. 02307K-1413-13US
UC Case no. 1996-540-5**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Charles L. Sawyers et al.Application No./Patent No.: 10/062,684Filed/Issue Date: January 30, 2002Entitled: METHODS OF SIMULATING HUMAN PROSTATE CANCER PROGRESSIONThe Regents of the University of California, a California corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 010704, Frame 0291, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To : _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To : _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To : _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

October 20, 2003
Date

310-794-0558
Telephone number

Lorelei de Larena
Typed or printed name

R. N. de Larena
Signature

UCLA Intellectual Property Manager
Title